

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA

Plaintiff

-vs-

JOHN D. MATUSZWSKI

Defendant

CASE NO. 4:09CR188-01
LESLY WELLS, JUDGE
CLERK'S OFFICE
COURT OF COMMON PLEAS
CITY OF CLEVELAND
STATE OF OHIO
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F. 11. 50

: ORDER ACCEPTING PLEA
: AGREEMENT AND JUDGMENT AND
: NOTICE OF HEARING

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Nancy A. Vecchiarelli regarding the plea hearing and plea agreement of John D. Matuszwsksi which was referred to the Magistrate Judge with the consent of the parties.

On 21 April 2009, the government filed a one-count information against John D. Matuszwsksi for attempted evasion of employment taxes in violation of 26 U.S.C. § 7201. On 18 May 2009, a hearing was held in which John D. Matuszwsksi entered a plea of guilty before Magistrate Judge Vecchiarelli and executed a waiver of indictment. Magistrate Judge Vecchiarelli received John D. Matuszwsksi's plea of guilty and issued a Report and Recommendation ("R&R")

concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. John D. Matuszski is found to be competent to enter a plea. He understands his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, John D. Matuszski is adjudged guilty of Count One in violation of 26 U.S.C. Section 7201.

Sentencing will be:

28 July 2009 at 11:30 a.m.

**Courtroom 19-A
19th Floor, United States District Court
801 West Superior Avenue
Cleveland, Ohio 44113**

IT IS SO ORDERED.

Dated:

8 June 09


UNITED STATES DISTRICT JUDGE